

DIST. OFF.	NUMBER	MO.	DAY	YEAR	J	N/S	R	R	S	DEMAND	OTHER	JUDGE NUMBER	JURY DEM.	YR.	DOCKET NUMBER
1085/4	75	0364	08	11	75	2	190	1	21	360		854 8509 8711		75	0364-3 with 75-C-355

PLAINTIFFS

DEFENDANTS

HIGHLANDS Insurance Company,
a corporation

WOLFE, NICK; d/b/a WOLFE Construction Company; WOLFE, Nick, individually; WOLFE, Charles R.; United States of America; SMITH, Colonel Anthony A., District Engineer for the United States Corp of Engineers; THOMSEN, Lt. Col. Willis C., Deputy District Engineer for the United States Corps of Engineers; and OAK FOREST Bank, a Texas Corporation.

CAUSE

28 USC 2201 Reimbursement sought for construction bond losses paid by plaintiff.

ATTORNEYS

Mr. Edwin F. Garrison
~~Mr. Clyde J. Watts~~
Watts, Looney, Nichols, Johnson & Hayes
219 Couch Drive
Oklahoma City, Oklahoma 73102

Joel W. Cook (Oak Forest Bank)
Schlanger, Cook, Cohn & Mills
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Houston, Texas 77002
713-224-8141

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587-3787

Rooney McInerney (Oak Forest Bank)
Houston & Klein, Inc.
900 Sooner Federal Building
Tulsa, Oklahoma 74103
583-2131

Robert P. Santee (Smith & Thomsen)
Asst. U. S. Atty.

Mr. James D. Fellers *withdrawn 4-25-85*
24th Floor First Nat'l Center
Oklahoma City, Oklahoma 73102

<input type="checkbox"/> CHECK HERE IF CASE WAS FILED IN FORM PAUPERIS	FILING FEES PAID			STATISTICAL CARDS	
	DATE	RECEIPT NUMBER	C.D. NUMBER	CARD	DATE MAILED
				JS-5	9-1-75 11-88
				JS-6	6-1-85 6-1-90

DATE	NR.	PROCEEDINGS
8-11-75	1.	Complaint filed, Summons issued. mm
9-3-75		Summons, ret. & filed: served U. S. District Attorney, Tulsa 8-12-75 and mailed 2 cpies to Atty. Gen., Wash. D. by certified mail; served Col. Anthony A. Smith, Dist. Engr., & Lt. Col. Willis C. Thomsen, at Federal Bldg., Tulsa on 8-15-75; served Oak Forest Bank by serving Mrs. Majors, Head Cashier, Houston, Tx. 8-21-75; UNSERVED as to Charles R. Wolfe, Nick Wolfe. (USM \$31.96)g
9-10-75	2.	Special Appearance of Oak Forest Bank for Motion to Extend Time, filed. mm (O to J)
9-10-75	3.	Defendant Oak Forest Bank's Special Appearance, Presenting Motions to Dismiss for Lack of Jurisdiction, filed. mm
9-11-75	4.	Order, filed, granting deft. Oak Forest Bank until 9-25-75 to file a brief in support of mo/dismiss. (AEB-J)hm (copies mailed)
9-25-75	5.	Opening brief in support of Deft. Oak Forest Bank's Special Appearance, presenting motions to dismiss for lack of jurisdiction, filed.v
10-6-75	6.	Motion of the U.S.A., et al., to Dismiss, filed. v
10-6-75	7.	Brief in support, filed. v
10-7-75	MO:	It is ordered by the Court that Pltf. is granted 10 days from this date to respond to the Mot. to Dismiss fld. by USA, et al. (AEB-J)v
10-14-75	8.	Plaintiff's Brief in Opposition to Defendant Oak Forest Bank's Special Appearance & Motions to Dismiss for Lack of Jurisdiction, filed.
11-6	9.	Answer brief of pltf. to mot. to dismiss by USA, Smith & Thomsen, filed. g
11-14	MO	Case referred to Magistrate Bradford re all pending mots. for F&R. (AEB-J)k
12-17	MO:	Case set for hrg on Deft Oak Forest Bank's Spec. Appearance presenting mo to Dismiss for Lack of Jurisd. before Mag. Bradford on 1-15-76
1976		at 2:00 p.m. (MLB-Mag)nh
1-15	MO:	Case called for hrg. ^{on motions} before Mag. on Deft. Oak Forest Bank's Special Appearance presenting mos. to dismiss for Lack of Jurisdiction and defts. Smith and Thomsen's mo. to dismiss. Parties represented. Mag. recommends both motions of defts. be denied. Pltf. counsel to prepare F&R and formal order within 5 days. (MLB-Mag)ph
1-21-76	10.	Amendment to Complaint, filed.jj
1-22	11	Findings & Recommendations of Mag., filed.t cps. mld.
2-2-76	12.	Appl. of deft. Oak Forest Bank for ext. of time to file objections to F&C of Mag., filed. ph
2-2-	13	Order extending time of deft Oak Forest Bank to 10 days from 2/2/76 to file objs to F&R of Mag, filed. (AEB-J)lm cps mld.
2-12	14	Motion of Deft. Oak Forest Bank to set aside findings and recommendations of Mag., filed. lm (o to J)
2-12	15	Deft's Brief in support of objs. to F&R of Mag., filed.lm
2-12	16	Motion requesting deft's obj. to F&R of Mag. be set for hearing for oral argument, filed. lm

CONTINUED

CIVIL DOCKET CONTINUATION SHEET

PLAINTIFF HIGHLANDS INSURANCE CO.	DEFENDANT NICK WOLFE, et al	DOCKET NO. 75-C-364 PAGE ____ OF ____ PAGES
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DATE	NR.	PROCEEDINGS
<u>1976</u>		
2-13	MO:	It is ordered by the Court that pltf is given ten days from this date to file a response to motion of deflt. Oak Forest Bank to set aside findings and recommendations of Magistrate. (AEB-J)lm ltrs mld
2-23	17	Appl. of Pltf. for ext. of time to respond to Oak Forest Bank's mot. to set aside F/R of Magistrate, filed. g
2-23	18	Order, filed, granting pltf. 7 days to file brief in opposition to Oak Forest Bank's Mot. to set aside F&R of Mag. (AEB-J)k cps mld
2-25	19.	Appl. of Pltf. for lve. to file 2nd Amendment to Compl., fld. v <i>of Amended To Judge</i>
2-25	20.	Pltf.'s brief in opposition of Oak Forest Bank's Mot. to Set Aside Findings and Recommendations of Magistrate, filed. v
3-1-76	21	Order filed, that the Pltf, is granted leave to file its Second Amendment to Compl.t(AEB-J) <i>cps mld.</i>
3-1-76	22	Second Amendment to Complaint, filed.t
3-4	23	Order, filed, consolidating this action with No. 75-C-355. (AEB-J)g
		file in 75-C-355
3-16-79	MO:	Case transferred to Judge Fred Daugherty (JCS-Clk)
11-9	MO:	CASE TRANSFERRED TO JUDGE JAMES O. ELLISON. (JCS-CLK)b
<u>1985</u>		
4-25	24	ADMINISTRATIVE closing order ENTERED w/certain conditions; see pldg for details & order allowing James D. Fellers to w/draw as counsel for Nick Wolfe d/b/a Wolfe Con. Co., Nick Wolfe individually, and Patricia Wolfe, Mr. James W. Tilly, and Rosenstein, Fist, and Ringold being substituted as counsel therefor.(JOE-J) c/m t (EOD 5-7-85)
2-15-89	MO	ORDER that J/T is stricken and reset on 5-1-89 & that case is transferred to Judge Layn R. Phillips for all purposes. (JOE-J) ptys/phoned. t
<u>1990</u>		
5-11	25	ORDER of dismissal w/prej as to attys' lien claim. (LRP-J) c/m dt ENTERED EOD: 5-14-90
5-21	26	JOURNAL entry of jdgmt ENTERED: Highlands Ins. Co. is granted jdgmt agnst Nick Wolfe in prin amt of \$1,752,115 & int plus \$323,000.00 & pre-jdgmt interest; Great American Ins. Co. is granted jdgmt agnst Nick Wolfe & Patricia Wolfe, jt & sev, in prin amt of \$95,126.00 & int plus \$15,000.00 & pre-jdgmt interest; counterclaims of Nick Wolfe agnst Highlands Ins. Co. & Great American Ins. Co. are dismissed w/prej; Highlands & Great American are to be pd directly out of funds to be deposited into registry of ct pursuant to order of 4-17-90; contested issue remaining is claim of IRS agnst funds payable to Nick Wolfe, to be resolved ASAP; Ct acknowledges that Tilly atty lien claim is resolved.(LRP-J) c/m dt EOD: 5-22-90
7-12	27	STIPULATION by ptys as to claim USA.jc(0 to J)

10/10 R2 looking at mld

PLAINTIFF		DEFENDANT	DOCKET NO. _____ PAGE ____ OF ____ PAGES
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